

CITY COUNCIL STUDY SESSION ITEM

SUBJECT:

Proposed ordinance change to address For-Hire Vehicle parking.

STAFF CONTACT:

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Transportation Department

POLICY ISSUES:

State Law:

Taxicab parking is regulated under current state law. WAC 308-330-454(3) states “The operator of a taxicab shall not stop, stand, or park such vehicle upon any highway at any place other than in a designated taxicab stand...” The law does allow taxicabs to temporarily stop to load and unload passengers. This section of the WAC is incorporated into the Model Traffic Ordinance (MTO-Chapter 308-330 WAC).

Bellevue City Code:

- BCC 11.80.010 specifically adopted the MTO by reference as the traffic ordinance of the City of Bellevue with certain exceptions.
- Chapter 11.23 BCC (parking enforcement code) was included in the portion of the MTO adopted by the City.
- Taxicabs and for-hire vehicles are regulated in Bellevue under Chapter 5.16 of the Bellevue City Code. Chapter 5.16 relates to licensing and the business operation of taxicabs and for-hire vehicles and defines both “for-hire vehicle” and “taxicab”. The definition states that both vehicles have a seating capacity of 6 passengers or less, are used for the transportation of passengers for hire, and are not operated over a fixed and definite route.

DIRECTION NEEDED FROM COUNCIL:

<u> </u>	Action
<u> X </u>	Discussion
<u> X </u>	Information

Staff will seek Council direction on whether Chapter 11.23 BCC (parking enforcement code) should be amended to add a new section to regulate taxicab and for-hire vehicle parking.

BACKGROUND/ANALYSIS:

As downtown Bellevue continues to mature and grow, we have seen the proliferation of taxicabs and for-hire vehicles on City streets. In recent months, complaints have been received from citizens and business owners that for-hire vehicles are parking in the transit drop-off and pick-up zone at the Bellevue Transit Center and in the 2-hour parking zones north of NE 8th Street meant for retail use and residents.

Problems with Current Regulations and Codes:

Although the current regulations and codes contain provisions for the enforcement of parking of taxicabs, the way these regulations are currently written hinders enforcement against “for-hire” vehicles. By calling themselves “for-hire” vehicles instead of “taxicabs”, it has been difficult for the City to enforce the provisions of the WAC, as there is no definition of the term “for-hire vehicle” contained in Chapter 11.23 on parking enforcement or in the Model Traffic Ordinance. The definitions of taxicab and for-hire vehicle contained in Chapter 5.16 only apply to that chapter, which is silent on parking regulations for taxi cabs and for-hire vehicles. In summary, the current codes give an unfair advantage to businesses that call their vehicles “for-hire” instead of “taxicab”, although the two are essentially operating in the same manner and competing for the same customers.

Research of Regulations and Codes from Other Jurisdictions:

To gain perspective on this issue, staff researched the codes and regulations of other jurisdictions. Staff found that many jurisdictions, including Tacoma, Kirkland and Del Mar, California, had written provisions concerning taxicab parking into their codes. Tacoma essentially listed all streets where taxicabs could not park, while Kirkland and Del Mar prohibited taxicab parking entirely, except in established taxicab stand zones, if established. Kirkland took the exact language from the WAC and placed it in their city code. It was clear in the research that other jurisdictions were also having issues with taxicab and for-hire vehicle parking.

Proposal to Amend Parking Regulations to Include For-Hire Vehicles:

Staff proposes that Council consider amending Chapter 11.23 BCC by adding a new section to regulate taxicab and for-hire vehicle parking, and include the definitions of both taxicabs and for-hire vehicles in Chapter 11.23. It is recommended that the City incorporate the language from 308-330-454 WAC and include “for-hire vehicle” in the section. Proposed language for the new section is as follows:

The operator of a taxicab or for-hire vehicle shall not stop, stand, or park such vehicle upon any street at any place other than in a designated taxicab stand. This provision shall not prevent the operator of a taxicab or for-hire vehicle from temporarily stopping in accordance with other stopping, standing, and parking regulations at any place for the purpose of and while actually engaged in the expeditious loading and unloading of passengers.

For the definitions of taxicabs and for-hire vehicles, staff proposes to use the current language from Chapter 5.16 BCC and amend the definitions to include passenger vans used by taxicab and for-hire companies. The proposed change will also include exemptions to address current agreements and leases we have with private bus or transportation companies, such as the Microsoft Connection and Shuttle service in downtown, or impact other arrangements for private bus companies in the downtown, especially at Meydenbauer Center.

Bellevue currently does not provide taxicab stands or zones in the City-owned right-of-way. Taxicabs currently operate in the City with a taxicab stand on private property (NE 7th Street-Lincoln Square), and most clients call for cabs or for-hire vehicles when they are needed. If Council is interested, staff can research the issue of providing taxicab stands within the public right-of-way and report back at a later date, with the understanding that any taxicab stands established would remove current 2-hour on-street parking spaces used by businesses and residents. This issue could be examined in the downtown livability study.

RECOMMENDATION:

Staff recommends moving forward with this proposed ordinance change. If Council approves, staff will prepare an ordinance for consideration at the December 3, 2012 City Council meeting.

ATTACHMENT:

- 1) WAC 308-330-454
- 2) Bellevue City Code, Chapter 5.16 "For Hire Vehicles"
- 3) Bellevue City Code, Chapter 11.23 "Parking"

WAC 308-330-454: Stopping, standing, and parking of buses and taxicabs regulated. - Internet Explorer provided by City of Belle

http://apps.leg.wa.gov/wac/default.aspx?cite=308-330-454

WAC 308-330-454: Stopping, standin...

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WAC 308-330-454 No agency filings affecting this section since 2003

Stopping, standing, and parking of buses and taxicabs regulated.

(1) The operator of a bus shall not stop, stand, or park such vehicle upon any highway at any place other than a designated bus stop. This provision shall not prevent the operator of a bus from temporarily stopping in accordance with other stopping, standing, or parking regulations at any place for the purpose of and while actually engaged in the expeditious loading or unloading of passengers or their baggage.

(2) The operator of a bus shall enter a bus stop or passenger loading zone on a highway in such a manner that the bus when stopped to load or unload passengers or baggage shall be in a position with the right front wheel of such vehicle not farther than eighteen inches from the curb and the bus approximately parallel to the curb so as not to unduly impede the movement of other vehicular traffic.

(3) The operator of a taxicab shall not stop, stand, or park such vehicle upon any highway at any place other than in a designated taxicab stand. This provision shall not prevent the operator of a taxicab from temporarily stopping in accordance with other stopping, standing, or parking regulations at any place for the purpose of and while actually engaged in the expeditious loading or unloading of passengers.

[Statutory Authority: RCW 46.90.010, 95-23-042, § 308-330-454, filed 11/13/95, effective 12/14/95, 94-01-082, § 308-330-454, filed 12/13/93, effective 7/1/94.]

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Chapter 5.16

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5.16.450 Violations and penalties.

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5.16.470 Additional enforcement.

5.16.010 Definitions.

 SHARE

For purposes of this chapter and unless the context plainly requires otherwise:

A. "Enforcement officer" means such city employee as authorized by the Bellevue chief of police to enforce this chapter or the King County director of public safety and his duly authorized representatives as authorized by cooperative agreement executed under RCW 39.34.080.

B. "For hire driver" means any person in charge of or driving a taxicab or for hire vehicle carrying passengers or baggage for hire, as hereinafter further defined; provided, however that the provisions of this chapter shall not apply to drivers of motor vehicles operated by any municipal or privately owned, licensed transit system.

C. "For hire vehicle," wherever used in this chapter, means and includes every motor vehicle other than a sightseeing car or charter bus having a seating capacity of seven passengers or more, as per manufacturer's rating, used for the transportation of passengers for hire, and not operated exclusively over a fixed and definite route.

D. "Licensing official" means such city employee as the city manager designates or the director of the King County department of general services and his duly authorized representatives as designated by cooperative agreement executed under RCW 39.34.080.

E. "Motor vehicle" means every self-propelled vehicle by or upon which any person may be transported or carried upon a public street, highway or alley; provided that vehicles used exclusively upon stationary rail tracks or propelled by the use of overhead electric wires, or for hotel or motel keepers conveying their guests to and from hotels or motels free of charge or reward and used exclusively for that purpose only, shall not come under the provisions of this chapter.

F. "Taxicab" means every motor vehicle having a seating capacity of six passengers or less as per manufacturer's rating, used for the transportation of passengers for hire, and not operated over a fixed and definite route.

G. "Taximeter" means any instrument or device by which the charge for hire of a passenger carrying vehicle is mechanically measured or calculated either for the distance traveled by such vehicle or for waiting time, or for both, and upon which such calculated charges shall be indicated by means of figures.

H. "To engage in the business of operating," "to operate," "operate," "operating," "engaged in the business of operating," a taxicab or for hire vehicle, include but are not limited to the stationing of said vehicles within, or the dispatching of said vehicles from within the city. (Ord. 2176 § 1, 1975.)

5.16.020 License – Applications.

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It is unlawful to own, operate, or engage in the business of operating a taxicab or for hire car in the city without first having obtained, for each and every vehicle so used, a license from the licensing official to be known as a for hire or taxicab license. Licenses shall be obtained in the following manner:

A. The applicant for such license, in a manner approved by the licensing official, shall show in his application: The true name and address of the applicant, and if a corporation, the names and addresses of the principal officers thereof; the classification under which the vehicle will be operated, whether as taxicab or other vehicle for hire; the year for which the license is sought; and shall furnish full, true and accurate information concerning the ownership, identification, company vehicle number, the name of the business, fictitious or otherwise, under which the vehicle is to be operated, the distinguishing color scheme, design or dress, including any monogram or insignia to be used on such vehicle or vehicles, the number of days and the mileage for each day of operation for any or all vehicles operated by the applicant under any license issued under the provisions of this chapter or any prior ordinance of the city regulating taxicabs and for hire vehicles for the year preceding the yearly period specified in the application; whether he has been convicted of any violation within 10 years preceding the date of application related to the sale or possession of intoxicating liquor, gambling or any law or ordinance relating to public morality and decency, or for violating any law or ordinance involving an intent to defraud, or whether the applicant has ever been convicted of any law or ordinance relating to the use, sale or possession of narcotic drugs or barbiturates, or any such other information the licensing official may require, which he deems reasonably necessary to aid in the enforcement of this chapter.

B. The licensing official shall inquire into the correctness of the information furnished, and if so satisfied, after due investigation, that the applicant is the reliable and bona fide owner of the motor vehicle, has met the various requirements of this chapter, that the name under which the applicant is to operate and the color scheme used upon the motor vehicle do not conflict with others so used, or tend to deceive the public, that the motor vehicle is equipped with proper state license and is properly insured for the protection of the public as required by law, and that there is a bona fide need for taxicab or for hire service in the city, a license may thereupon be issued in accordance with the provisions of this chapter, authorizing the operation of the motor vehicle under the classification applied for. The license shall be effective for one year from the date license is granted.

C. A license may be denied to any person if the licensing official, after due investigation, has reason to believe that the applicant is dishonest or immoral, desires such license to enable him to engage in a dishonest, unlawful, or immoral act, practice or enterprise. Wilful falsification or omission of any information required in the application shall constitute grounds for denial of the license.

D. No license shall be transferable to any person except in case of a bona fide sale of the business of the owner or operator of the motor vehicle and no license shall be transferred to any other motor vehicle without approval of the director and then only in cases where the motor vehicle for which the license is issued shall be sold, become obsolete, unsafe or unfit for further use. Such determination shall be made by the licensing official and his determination shall be conclusive. All city licensed taxicabs shall be operated for at least 10 miles per day for 230 days of the licensed year, and no new taxicab license shall be issued to any person holding a license which lapses because of failure to meet the foregoing requirement in the next preceding licensed year; provided, however, that the licensing official, upon good cause shown, may waive the foregoing requirement. (Ord. 2176 § 1, 1975.)

5.16.030 Taxicabs, maximum number.



The maximum number of taxicabs authorized to operate and for which licenses may be issued shall be based upon the population of the city as determined by the last preceding United States census, at the ratio of one taxicab to each 4,400 inhabitants; provided that this limitation shall not affect taxicabs in operation under license on the effective date of the ordinance codified in this chapter, except as such vehicles are abandoned through inability of operators to meet the requirements of this chapter. (Ord. 2176 § 1, 1975.)

5.16.040 Unlawful to sublet.



It is unlawful for the holder of a taxicab or for hire vehicle license to directly or indirectly lease or sublet his business and license to another person or persons for use or operation and any such action shall be grounds for revocation of the license; provided, however, that nothing herein contained shall prevent the holder of a valid taxicab or for hire vehicle license from employing city licensed drivers for his taxicabs; and provided further, that the licensing official, upon a finding that the licensee is incapacitated because of illness, may allow a licensee to lease his business and license to another person or persons for a period not to exceed one year. (Ord. 2176 § 1, 1975.)

5.16.050 Color scheme.



The licensing official shall, in the interest of protecting the public from being deceived or confused, have the exclusive control in the granting or permission to use any color scheme, design or monogram by any taxicab or vehicle for hire. It is unlawful to use or change any color, design, monogram or insignia on any taxicab or vehicle for hire, without the prior permission and approval of the licensing official. Failure to comply with this provision shall be grounds for revocation of any taxicab or for hire vehicle license. (Ord. 2176 § 1, 1975.)

5.16.060 Expiration of licenses and license fees.



All licenses issued under this chapter shall expire one year from the date the license was granted. Such licenses may be renewed by the license holder for the succeeding year by making application thereof with the licensing official at least 10 days prior to the expiration date. (Ord. 2176 § 1, 1975.)

5.16.070 Unlawful to operate taxicab or for hire vehicles without liability insurance.



No such license shall be issued unless the applicant therefor files with the licensing official satisfactory evidence of a policy or policies of public liability insurance, issued by an insurance company or companies authorized to do business in the state. The policy or policies shall be in the minimum sum of \$100,000 for the injury or death of one person, including the passenger, \$300,000 for the injury or death of more than one person, including the passenger, in any one accident, and \$50,000 for property damage. The policy or policies shall, in addition, by endorsement or otherwise name the city of Bellevue as an additional insured and provide that the city, its officers, agents, and employees, shall be indemnified and held harmless from any loss, or claim or suit for damages or injury from the use or operation of the vehicle for which such permit is to be issued, and shall further provide that not less than 10 days' written notice shall be given to the director in the event of any change or cancellation. Such insurance shall be maintained in full force and effect for the full period to be covered by the permit applied for and failure to do so shall result in the automatic suspension of such permit. (Ord. 2176 § 1, 1975.)

5.16.080 City of Bellevue taxicab or for hire license plates.

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The licensing official shall furnish with each taxicab or for hire license issued, one or more tags or plates or metal decals. All plates, tags or metal decals shall bear a number and the year for which the license was issued. The form, material, and positioning on the vehicle shall be as prescribed by the licensing official. It is unlawful for any owner, operator or driver of a taxicab or for hire vehicle to operate such vehicle without having conspicuously displayed thereon such vehicle license plate, furnished and authorized by the licensing official, or to operate such vehicle with expired or illegible city taxicab or for hire license plates thereon. All plates shall be and remain the property of the city and upon the revocation, surrender, suspension or expiration of a vehicle license, or if found in the possession of any person other than to whom the license was issued, the plates shall be picked up by an enforcement officer and returned to the licensing official. (Ord. 2176 § 1, 1975.)

5.16.090 Duplicate license plates.

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Whenever a city taxicab or for hire license plate becomes lost, destroyed or stolen, a duplicate may be issued by the licensing official at the expense of the licensee. The request for a duplicate license plate shall be accompanied by the licensee's sworn statement to the effect that such license plate has become lost, destroyed or stolen. Should the original of the ordered duplicate be later found, the original plate shall be promptly returned to the licensing official. It is unlawful to manufacture or produce any taxicab or for hire vehicle license plate or duplicates thereof herein provided except by order of the licensing official. (Ord. 2176 § 1, 1975.)

5.16.100 Rate schedule.

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Every licensee shall, before commencing operation, file with the licensing official his proposed schedule of rates and charges. It is unlawful for any licensee to charge any greater or lesser sum than is specified by such filed schedule of rates, except as herein provided, and it is unlawful to make any discriminatory charges to any person, or to make any rebate or in any manner reduce the charge to any person unless such reduction is in conformity with the schedule, and rates and charges shall be conspicuously displayed in the taxicab so as to be readily discernible to the passenger. Operation of any taxicab or for hire vehicle without the filing and display of rate schedules shall be prima facie grounds for the suspension or revocation of the license.

A. The rate schedule for taxicabs shall be as follows:

For one passenger for the first one-sixth mile, or fraction thereof: \$0.80;

Thereafter for each additional one-sixth mile, or fraction thereof: \$0.10;

For every one minute of waiting time: \$0.12;

For each additional passenger: \$0.20.

(No additional passenger shall be picked up without the express consent of the original passenger.)

B. The rate schedule for for-hire vehicles shall be determined for each licensee by the licensing official, who shall take into account, among other things, and with the objective of prescribing a just and reasonable rate, the following factors:

1. The public need for adequate for hire vehicle service at the lowest level of charges consistent with the provision, maintenance and renewal of such service;

2. The rates of other licensees operating in the same or similar areas;


3. The effect of such rates upon transportation of passengers by other modes of transportation;
4. The licensee's need for revenue of a level which under honest, efficient and economical management is sufficient to cover the cost (including all operating expenses, depreciation accruals, rents, license fees and taxes of every kind) of providing adequate for hire vehicle service, plus an amount equal to such percentage of the cost as is reasonably necessary for the replacement of deteriorated for hire vehicles and a reasonable profit to the licensee. The relation of revenues to expenses may be deemed the proper test of a reasonable profit.

C. Any person, partnership, corporation or legal entity driving or operating or engaged in the business of operating taxicabs, may contract their services to any legally established commercial enterprises, such as, apartment house complexes, motels, airlines, manufacturing companies, for rates below those as established herein, with approval of the director of licenses. After approval by the licensing official, a copy of the contract between the licensee and the commercial enterprise shall be filed with the director of licenses in triplicate. No business shall be conducted prior to the licensing official's approval.

D. The rate schedule for taxicabs entering into contractual service shall be determined for each licensee by the licensing official, who shall take into account, among other things, and with the objective of prescribing a just and reasonable rate, the following factors:


1. The public need for adequate taxicabs entering into contractual service at the lowest level of charges consistent with the provision, maintenance and renewal of such service.
2. The rates of other licensees operating in the same or similar areas;
3. The effect of such rates upon transportation of passengers by other modes of transportation;
4. The licensee's need for revenue of a level which under honest, efficient and economical management, is sufficient to cover the cost (including all operating expenses, depreciation accruals, rents, license fees and taxes of every kind) of providing adequate contract taxi vehicle service, plus an amount equal to such percentage of the cost as is reasonably necessary for the replacement of deteriorated contract taxi vehicles and a reasonable profit to the licensee. The relation of revenues to expenses may be deemed the proper test of a reasonable profit. (Ord. 2176 § 1, 1975.)

5.16.110 Display of taxicab or for hire vehicle number.

 SHARE

It is unlawful for any taxicab or for hire vehicle to fail to have conspicuously displayed, where it is readily discernible by the passenger, the name and number of the taxicab or for hire vehicle contained in a plastic sealed card attached to a metal holder, the size, location and form thereof to be determined by the licensing official. It shall be unlawful during the hours of darkness to fail to sufficiently illuminate such name and number. (Ord. 2176 § 1, 1975.)

5.16.120 Taximeter.

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It is unlawful for any person to drive, operate, or engage in the business of operating a taxicab unless the vehicle is equipped with a taximeter which has been inspected by the licensing official.

It shall be the duty of the owner, driver, or any other person having possession or control of a taxicab to keep such taximeter accurate and in good working condition at all times. Prior to the installation of such taximeter, same shall be approved for operation by an official testing station so designated by the licensing official and upon such approval, a written notice and lead wire seal shall be plainly posted and attached to the taximeter for the information of the public. Such taxicab meters shall be rechecked and inspected at least semiannually in the same manner as the original inspection.

It is unlawful for any person to drive, operate or engage in the business of operating a taxicab whenever the lead wire seal of approval has been broken, cut, removed or is missing.

It is unlawful for any person to fail, resist or refuse the licensing official or any duly authorized agent to test and reinspect the taximeter at any time. (Ord. 2176 § 1, 1975.)


5.16.130 Installation of taximeters.

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Every taximeter shall be installed at the right side of the driver, either adjoining the cowl or dashboard of the taxicab and at such height that the flag thereof may be readily seen by observers on the street. The reading face of the taximeter shall at all times be well lighted and distinctly readable to the passengers within the vehicle. It is unlawful to change the size of the wheels or tires of any taxicab or the gears operating the taximeter or to change the taximeter from one vehicle to another unless such taximeter is reinspected and approved by the licensing official; provided, however, that a licensee may change from

regular to snow or studded tires without reinspection of the taximeter, so long as the change does not operate to increase the mileage registered by the taximeter. (Ord. 2176 § 1, 1975.)

5.16.140 Flag to be proper position.

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It is unlawful for any driver of a taxicab while carrying passengers or under employment to display the flag attached to the taximeter at such a position as to denote that such taxicab or for hire vehicle is not employed. The flag of such taximeter must be returned to a nonrecording position at the termination of each and every service. (Ord. 2176 § 1, 1975.)

5.16.150 Classification and capacity.

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The licensing official shall by inspection determine the classification and capacity of the vehicle inspected. (Ord. 2176 § 1, 1975.)


5.16.160 Driver's license.

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It is unlawful for any person owning, controlling, or engaged in the business of operating taxicabs or for hire vehicles to employ as the driver of any such vehicle, or permit any such vehicle to be operated by a driver who does not have in his possession a valid for hire driver's license.

If any driver of a taxicab or for hire vehicle is convicted of driving such vehicle while under the influence of or affected by liquor or drugs, the for hire driver's license of such driver shall be revoked and he shall not be granted a for hire driver's license for a period of at least one year from the date of such conviction. (Ord. 2176 § 1, 1975.)

5.16.170 Trip sheets.

 SHARE

A. It is unlawful for any person owning or operating any taxicab or for hire vehicle, to fail to keep an accurate daily record on a trip sheet, the form and size to be determined and approved by the licensing official. All daily trip sheets shall be kept on file for a period of five years at the address for which the vehicle for hire license is issued. All daily trip sheets shall be open for inspection by the licensing official either while carried in the vehicle for hire or at the address of the licensee.

B. It is unlawful for any taxicab or for hire driver to fail or refuse to turn in his trip sheet or moneys collected from taxi trip fares to his employer or his duly authorized agent at the end of each shift worked.

C. The following information shall be contained on each trip sheet:

1. The driver's name as licensed and for hire driver's license number;
2. The driver's residence address and telephone number;
3. The company name and vehicle number;
4. The date, time and place of origin and dismissal of each trip (including trips where the passenger did not complete an actual trip);
5. The fare paid;
6. The number of passengers paying or not paying and any other items for which a charge was or was not made;
7. The beginning and ending speedometer mileage of the vehicle for each shift worked;
8. The beginning and ending time for each shift worked;
9. The beginning and ending meter readings for each shift worked. The driver of any taxicab or for hire vehicle shall, on request of any passenger paying him a fare for any trip, issue a receipt showing such information for said trip.


Failure to keep an accurate daily trip sheet or the withholding of a trip sheet or fare moneys collected by a for hire driver from his employer or his duly authorized agent, shall be grounds for suspension or revocation of his for hire driver's license. (Ord. 2176 § 1, 1975.)

5.16.180 Display of license.

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Every owner or operator of any taxicab or for hire vehicle shall at all times carry in such vehicle permits issued by the Department of Motor Vehicles of the state showing such vehicle to be properly insured for the protection of the public, and also the licenses and permits issued pursuant to this chapter. (Ord. 2176 § 1, 1975.)

5.16.190 Inspection of taxicab or for hire vehicles.

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All vehicles operated under the authority of this chapter shall be made available for inspection at any time or any place by the licensing official. The licensing official shall inspect the vehicle to determine cleanliness, proper equipment, good appearance, safe operating condition and shall in all cases be the sole judge in this determination. A taxicab or for hire vehicle shall be deemed to be of safe condition for the transportation of passengers, when the following minimum requirements have been complied with:

- A. An efficient and operable windshield wiper mechanism;
- B. An adequate braking system including emergency or auxiliary;
- C. A complete lighting system, exterior and interior, and including signalling devices and emergency flashers;
- D. Rearview mirrors;
- E. Glass (windshield and rear) free of breaks, cracks or defects sufficient to mar vision;
- F. Tires with minimum tread depth of 2/32 inches as determined by gauge and free of visible defects;
- G. Other safety equipment as may be determined from time to time by the licensing official to be necessary for the safe transportation of passengers for hire.

If the licensing official determines during his inspection that the condition of any taxicab or vehicle for hire needs correction he shall issue to the operator or driver thereof a notice in writing specifying such defects and same shall be remedied immediately or at a later date to be fixed by the licensing official.

It is unlawful to fail to comply with any written notice by the licensing official to make certain corrections on the taxicab or for hire vehicle. (Ord. 2176 § 1, 1975.)

5.16.200 Direct route of travel.

 **SHARE**

Any driver of a taxicab or for hire vehicle employed to carry passengers to a definite point shall take the most direct route possible that will carry the passenger safely and expeditiously to his destination. (Ord. 2176 § 1, 1975.)

5.16.210 Unlawful not to pay fare.

 **SHARE**

It is unlawful for any for hire driver to refuse to accept as a passenger any person of proper deportment who requests a ride when the taxicab or for hire vehicle is vacant or not employed, and it is unlawful for any person to refuse to pay the regular fare for a taxicab or for hire vehicle after having hired the same. (Ord. 2176 § 1, 1975.)

5.16.220 Leaving taxicabs or for hire vehicle unattended.

 **SHARE**

It is unlawful for any driver of a taxicab or for hire vehicle to leave the same unattended, or to make repairs thereto or wash such vehicle while in a taxicab zone; except that a period of not to exceed 60 minutes is allowed such for hire driver for purposes of taking his meals or shopping during which time such taxicab or for hire vehicle may be left unattended as long as the vehicle is locked and does not interfere with other taxicabs or for hire vehicles within such zone. (Ord. 2176 § 1, 1975.)

5.16.230 Baggage.

 **SHARE**

Persons served with a taxicab or for hire vehicle hereunder shall be entitled to have with them their valises or small hand baggage as can be conveniently carried within the vehicle, loaded, conveyed, and unloaded without charge. (Ord. 2176 § 1, 1975.)

5.16.240 Two-way radio dispatch.

 **SHARE**

It is unlawful for any for hire driver to fail to respond to a call from the dispatcher to pick up a passenger when so requested or to fail to keep the radio in the taxicab or for hire vehicle operating at all times during the shift the taxicab or for hire vehicle is operated. All taxicabs or for hire vehicles shall have conspicuously placed on the vehicle by the name of the cab, the telephone number where the taxicab or for hire vehicle may be radio dispatched from. Persons canceling calls for taxicabs or for hire vehicles after dispatch in answer thereto, may be charged the same rate as if used. (Ord. 2176 § 1, 1975.)

5.16.250 Discontinued use as taxicab or for hire vehicle.

 **SHARE**

All taxicabs or for hire vehicles licensed under this chapter when discontinued for use as a taxicab or for hire vehicle shall be sufficiently repainted forthwith with a color that will not tend to confuse or lead the public to believe the vehicle may still be a taxicab or for hire vehicle and may not be used on the street for

private transportation until the repainting has been completed. Failure to comply with the provisions of this section shall be grounds for revocation of such license. (Ord. 2176 § 1, 1975.)

5.16.260 Unlawful to solicit fares.

 SHARE

It is unlawful for any for hire driver to cruise, drive, or operate a taxicab or for hire vehicle repeatedly and persistently to and fro upon a public street or to solicit thereon, or on private property, or to haul any additional passengers when his taxicab or for hire vehicle has been engaged for hire and is occupied already by a passenger or passengers, except with the permission of such occupying passenger or passengers. (Ord. 2176 § 1, 1975.)

5.16.270 Condition of driver.

 SHARE

It is unlawful for any for hire driver to consume any alcoholic beverage at any time within eight hours of reporting for duty, or while on duty as a driver to operate any taxicab or for hire vehicle while under the influence of or affected by intoxicating liquors, narcotics, barbiturates, or any medicine that shall impair his ability to drive.

It is unlawful for any for hire driver to drive, operate, or be in a taxicab or for hire vehicle in a position to drive or operate for longer than 10 hours in any one 24-hour period. (Ord. 2176 § 1, 1975.)

5.16.280 Suspension – Revocation of for hire driver's license.

 SHARE


Any driver of a taxicab or for hire vehicle who charges any passenger a rate or fare other than that provided for in this chapter shall upon conviction, in addition to any other penalties provided by law, have his for hire driver's license suspended for a period of not less than 30 days nor more than one year. (Ord. 2176 § 1, 1975.)

5.16.290 Licensing fees.

 SHARE

It is unlawful to engage in the business of operating a taxicab or for hire vehicle as defined in this chapter without first obtaining a valid taxicab or for hire vehicle license to do so. Nonrefundable license and related fees shall be as established by King County Code Section 6.64.025, and any amendments that may be made to this King County code section. (Ord. 4738 § 1, 1995; Ord. 2176 § 1, 1975.)

5.16.300 For hire driver's license required – Application.

 SHARE

It is unlawful for any person to drive or operate a taxicab or for hire vehicle in the city without first having obtained a valid and subsisting license to do so, which license shall be known as a for hire driver's license. The license shall be obtained in the following manner:

The applicant shall file an application on a form furnished by the licensing official, which shall be signed and sworn to by the applicant and shall contain: Name, height, weight, color of hair and eyes, residence address, place and date of birth, length of time a resident of the state, whether a citizen or noncitizen, last place of employment, whether or not the license was ever suspended or revoked and for what cause, and such other information as may reasonably be required. The applicant shall on the application give the names and mailing address of four persons, not relatives, who have known the applicant for at least two years past. (Ord. 2176 § 1, 1975.)


5.16.310 Qualifications for a for hire driver's license.

 SHARE

No person shall be issued a for hire driver's license unless he possesses the following qualifications:

- A. Must be at least 18 years of age;
- B. Must be a bona fide resident of the state for at least six months prior to filing application;
- C. Must possess a valid state of Washington Motor Vehicle Operator's License;
- D. Must be free from any infirmity of body or mind which would render the applicant unfit for safe operation of a motor vehicle and shall have submitted to a medical examination by the Seattle-King County health department and have obtained a certificate from the officer certifying his fitness as such for hire driver. Such examination certificate shall not be required for renewals of such license, but the licensing official may at any time at his discretion require any licensee to be so examined and to secure such a certificate or renewal thereof;
- E. Must not be addicted to the use of intoxicating liquor, dangerous drugs or narcotics. (Ord. 2176 § 1, 1975.)

5.16.320 Seattle-King County health department.

 SHARE


Any applicant who fails to pass a satisfactory medical examination may be reexamined after 30 days from the original examination, and if following such reexamination the certificate herein required from the Seattle-King County health department is issued, the applicant may be licensed in accordance with the provisions of this chapter. (Ord. 2176 § 1, 1975.)

5.16.330 Fingerprints and photographs to accompany application.

 SHARE

Each application for a for hire driver's license shall be accompanied by a complete set of fingerprints of the applicant, and also by three recent duplicate photographs of the applicant of the size to be determined by the licensing official. One photograph shall be retained in the records of the business license section and the second attached to the license in such manner that it cannot be removed and another photograph substituted therefor without detection; the third photograph together with the name, address and license number shall be prominently displayed inside the taxicab so as to be readily discernible to any passenger. (Ord. 2176 § 1, 1975.)

5.16.340 Investigation of applicants for driver's licenses.

 SHARE

When an application for a for hire driver's license, duly signed and sworn to and accompanied by the required certificate of the Seattle-King County health department has been received by the licensing official, he shall investigate the statements contained therein, and may obtain such other information concerning the applicant's character, integrity, personal habits, past conduct and general qualifications as will show the applicant's ability and skill as a driver of a motor vehicle for hire, and his honesty, integrity and character for the purpose of determining whether the applicant is a suitable person to drive a motor vehicle for hire. All applications for for-hire driver's licenses shall become null and void after 60 days from date of filing, if the applicant for any reason fails or neglects to obtain a license. (Ord. 2176 § 1, 1975.)

5.16.350 Temporary permit.

 SHARE

Upon application for a for hire driver's license, the licensing official may issue a temporary for hire driver's permit which shall entitle the applicant to operate a taxicab or other for hire vehicle pending final action upon his application, for a period not to exceed 45 days; provided, that any such temporary permit may be revoked for falsification of information on the application. Such temporary permit shall not be transferable or assignable and shall be valid only with the taxicab or for hire vehicle company to which it was originally issued. Whenever the holder of such a temporary permit leaves the original employment, the employer shall notify the licensing official within five days. (Ord. 2176 § 1, 1975.)

5.16.360 Issuance of for hire driver's license.

 SHARE

If the licensing official is satisfied that the applicant for a for hire driver's license possesses the qualifications and is a suitable person to drive a motor vehicle for hire under the provisions of this chapter, he shall issue him a for hire driver's license which will entitle him to drive and operate a motor vehicle for hire within King County. (Ord. 2176 § 1, 1975.)

5.16.370 Expiration and renewals of for hire driver's licenses.

 SHARE

All for hire driver's licenses shall expire one year from the day license was granted and must be renewed within 10 days from the date of expiration, except as otherwise herein provided. Applications for renewal shall be made to the licensing official and shall contain such information as he may deem necessary, whereupon he may renew the license for a period of one year; provided, however, that a person whose for hire driver's license has expired and who is not engaged in the business or occupation of driving taxicabs in the city may have his license renewed within six months from date of expiration; and provided further, that in the event it appears that the licensee has become physically or mentally incapacitated to a degree so as to make the driving of an automobile or other motor vehicle by the licensee a danger to the public, the licensing official may require the licensee to be reexamined by the Seattle-King County health department and procure from that department a satisfactory certification before such for hire driver's license may be renewed. (Ord. 2176 § 1, 1975.)

5.16.380 For hire driver's license fee.

 SHARE

The fees for a for hire driver's license shall be as follows: For each original license, \$15.00; for each renewal thereof, \$5.00. (Ord. 2176 § 1, 1975.)

5.16.390 Damaged or worn-out for hire driver's licenses to be replaced.

 SHARE

When the license is worn-out, damaged or otherwise unfit for use, the licensing official may require the license to be replaced in the same form as the original license, at the expense of the licensee. (Ord. 2176 § 1, 1975.)

5.16.400 Identification of drivers.

 SHARE

Every for hire driver shall wear a badge of identification, the size, form and placement to be determined and approved by the licensing official, and such badge shall be worn by such for hire driver at all times while he is operating a taxicab or for hire vehicle; such badge shall show, among others, the name of the licensed for hire driver, and the name and telephone number of the company employing such driver. The for hire driver's license shall at all times be carried on the person of the licensee; and shall on request be exhibited by the licensee to any passenger or to any police officer or other enforcement officer. (Ord. 2176 § 1, 1975.)

5.16.410 Renewal of license, registration or permit – Late penalty.

 SHARE

A late penalty shall be charged on all applications for renewal of a license, registration or permit received later than 10 working days after the expiration date of such license, registration or permit as set forth in the respective resolution or ordinance establishing the expiration date of such license, registration or permit. The amount of such penalty is fixed as follows:

- A. For a license, registration or permit requiring a fee of \$0.50 or more, but less than \$50.00: 20 percent of the required fee;
 - B. For a license, registration or permit requiring a fee of \$50.00 or more, but less than \$1,000: 10 percent of the required fee;
 - C. For a license, registration or permit requiring a fee of \$1,000 or more: five percent of the required fee.
- (Ord. 2176 § 1, 1975.)

5.16.450 Violations and penalties.

 SHARE

Any person violating or failing to comply with any of the provisions of this chapter is guilty of a misdemeanor and upon conviction thereof shall be punished by a fine in any sum not exceeding \$250.00 or by imprisonment in the county jail for a period not exceeding 90 days. (Ord. 2176 § 1, 1975.)

5.16.460 Civil penalty.

 SHARE

In addition to or as an alternative to any other penalty provided herein or by law any person who violates any provision of any business license ordinance shall be subject to a civil penalty in an amount not to exceed \$250.00 per violation to be directly assessed by the licensing official. The licensing official, in a reasonable manner, may vary the amount of the penalty assessed to consider the appropriateness of the penalty to the size of the business of the violator; the gravity of the violation; the number of past and present violations committed and the good faith of the violator in attempting to achieve compliance after notification of the violation. All civil penalties assessed will be enforced and collected in accordance with the procedure specified under this chapter. (Ord. 2176 § 1, 1975.)

5.16.470 Additional enforcement.

 SHARE

Notwithstanding the existence or use of any other remedy, the licensing official may seek legal or equitable relief to enjoin any acts or practices which constitute or will constitute a violation of any business license ordinance or other regulations herein adopted. (Ord. 2176 § 1, 1975.)

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Chapter 11.23

PARKING

Sections:

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- [11.23.007](#) Parking restricted – General.
- [11.23.010](#) Parking restricted – Specified streets – Residential permit parking zones.
- [11.23.015](#) Traffic engineer – Authority.
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- [11.23.030](#) When vehicle may be impounded.
- [11.23.035](#) Parking on municipal property.
- [11.23.040](#) Penalties.

11.23.005 Purpose.

[SHARE](#)

The provisions of this chapter regulate parking, standing and stopping of vehicles upon streets and ways open to the public within the city and provide for the establishment of residential parking zones and restrictions thereto. Pursuant to Chapters [11.80](#) and [11.82](#) BCC, the city has adopted by reference sections of certain state statutes, including sections of the Model Traffic Ordinance, which provide for regulation of parking in addition to the provisions of this chapter. (Ord. [5176](#) § 1, 1999; Ord. [4611](#) § 3, 1993.)

11.23.007 Parking restricted – General.

[SHARE](#)

General parking restrictions are adopted to regulate parking with respect to common concerns found on city streets and ways and are generally applied. General parking restrictions include, but are not limited to, parking setback distances from driveways, intersections, fire hydrants, crosswalks, stop signs, yield signs, signals, and railroad crossings. General parking restrictions also prohibit the parking of any vehicle on a sidewalk, crosswalk, within an intersection, on a bridge, within a tunnel, on railroad tracks, or in roadway medians. General parking restrictions are adopted by the city council in the Model Traffic Ordinance, Chapter [11.80](#) BCC, which contains a complete description of these parking restrictions as well as additional restrictions placed on the stopping or standing of vehicles. (Ord. [5176](#) § 2, 1999.)

11.23.010 Parking restricted – Specified streets – Residential permit parking zones.

[SHARE](#)

The city council may by ordinance establish parking restrictions, including but not limited to no parking anytime, time of day restrictions, and time limits on all or portions of specified streets. A copy of such parking restrictions adopted by the city council, in the form in which they were adopted and suitably marked to indicate amendments, additions, deletions or exceptions, shall be authenticated and filed in the office of the city clerk. In addition, copies thereof shall be available for use and examination by the public during regular business hours. Such parking restrictions for specified streets may also carry restrictions on the stopping or standing of a vehicle.

The city council may also by ordinance establish residential permit parking zones which restrict parking on specified streets except by permits issued to area residents. Such zones allow for time-limited parking or time of day restrictions for vehicles without a permit. A copy of such ordinance establishing a residential permit parking zone and restrictions applicable thereto shall be authenticated and filed in the

office of the city clerk. In addition, copies thereof shall be available for use and examination by the public during regular business hours. (Ord. 5176 § 3, 1999; Ord. 4611 § 4, 1993.)

11.23.015 Traffic engineer – Authority.

 SHARE

The city manager or his/her designee is authorized to exercise the powers and duties of traffic engineer as authorized pursuant to RCW 46.90.260 and 46.90.270, and Chapter 308-330 WAC, the Model Traffic Ordinance, all as now or hereafter amended.

WAC 308-330-265(13) of the Model Traffic Ordinance is modified to read as follows:

The City Manager or his/her designee is authorized to determine and designate by proper traffic control signs zones not exceeding 300 feet in length for no parking, stopping, or standing of vehicles where the primary basis of such zone is safety or spill over parking concerns.


(Ord. 5176 § 4, 1999; Ord. 4611 § 5, 1993.)

11.23.020 Parking over 24 hours prohibited.

 SHARE

No person having control over a vehicle may park such vehicle upon any public street or public way or leave such vehicle in the same public place for a period exceeding 24 hours. (Ord. 4611 § 6, 1993.)

11.23.022 Time limit zones.

 SHARE

No person having control over a vehicle may park such vehicle beyond the time limit permitted by official signs.

Where a time limit is established by official signs, no person having control over a vehicle may repark that vehicle on either side of the same street in order to extend the vehicle's parking time beyond the time limits established. For purposes of this section, a vehicle shall be deemed to be reparked and in violation of this section despite any movement of the vehicle unless the vehicle is moved to a street with a different street name than the street the vehicle was originally parked upon. (Ord. 5176 § 5, 1999.)

11.23.025 Stopping, standing or parking.

 SHARE


A. In addition to provisions of the Washington Model Traffic Ordinance adopted by Chapters 11.80 or 11.82 BCC, no person may park or leave any vehicle, whether attended or unattended, upon the traveled portion of the roadway in such a manner as to block or obstruct the flow of vehicular traffic.

1. Subsection A of this section does not apply to the driver of any vehicle which is disabled in such a manner and to such extent that it is impossible to avoid stopping and temporarily leaving the vehicle in such a position. The driver shall nonetheless arrange for the prompt removal of the vehicle as required by subsection B of this section.

2. Subsection A of this section does not apply to the driver of a public transit vehicle who temporarily stops the vehicle upon the roadway for the purpose of and while actually engaged in receiving or discharging passengers at a marked transit vehicle stop zone, or to the driver of a vehicle when actually engaged in the collection of solid waste, recyclables, or yard waste under authority of the city, so long as the vehicle is not parked or left for a longer time than reasonably necessary.


B. It is unlawful for the operator of a vehicle to leave the vehicle unattended within the limits of the roadway unless the operator of the vehicle arranges for the prompt removal of the vehicle. (Ord. 4611 § 7, 1993.)

11.23.030 When vehicle may be impounded.

 SHARE

Any vehicle parked or used so as to endanger any user or potential user of any street or way open to the public or parked or used in violation of BCC Title 11, any regulation or restriction established thereunder, or any other applicable provision of the Bellevue City Code or of any ordinance, is declared to be a nuisance which may be summarily abated by the impounding and removal of the vehicle as herein provided. Any vehicle which is stolen, or which is required by the police department for evidence or investigation, or which is unoccupied or unattended and in the judgment of any police officer in danger of being stripped or stolen, or any wrecked and unattended vehicle, may be impounded and removed as provided by state law. (Ord. 4927 § 7, 1996; Ord. 4611 § 8, 1993.)

11.23.035 Parking on municipal property.

 SHARE

A. Motor vehicle parking or standing on property owned, leased or operated by the city is subject to the following restrictions:

1. Only motor vehicles belonging to persons who work for the city, who are transacting business with the city or who otherwise have specific permission from the city, may be parked upon such property; and
2. Where pavement markings or signs designate parking stalls on such property, all motor vehicles must be parked within such stalls and not elsewhere on such property; and
3. Where pavement markings designate a parking stall or stalls, any motor vehicle parked in a stall must be parked within the designated limits as indicated by the pavement markings; and
4. Where signs or pavement markings prohibit or restrict parking without authority or permission, no motor vehicle may be parked or left standing without such permission.

B. Any motor vehicle parked or standing on such property which is not complying with the restrictions set forth herein is declared to be a nuisance. Such nuisance may be summarily abated by impounding as provided by state law. The impounding of a motor vehicle does not prevent or preclude the institution and prosecution of charges in the district court or other appropriate court for violation of any provision of this chapter. (Ord. 4611 § 9, 1993.)

11.23.040 Penalties.



Failure to comply with any parking restriction adopted pursuant to BCC 11.23.007, 11.23.010, 11.23.020, 11.23.022, or 11.23.025 or any other provision of this chapter is a parking infraction and shall be cited under the applicable section of this chapter.

A. Violators are required to respond within 15 days of the date of the issuance of the notice of infraction by:

1. Paying a penalty in the amount set forth in subsection C of this section for each infraction cited on the infraction notice; or
2. Requesting a hearing in the manner described in the notice of infraction.

B. Failure to respond to an infraction notice within 15 days of the date of the infraction shall result in:

1. An additional monetary penalty of \$25.00 imposed as a default penalty for each parking infraction cited on the notice; and
2. The loss of the right to a hearing on the parking infraction.

In addition, a criminal charge may be filed against the vehicle owner for failure to respond to a notice of infraction and, consistent with applicable state law, the Department of Licensing may place a hold on the renewal of the vehicle license for the vehicle involved in the violation.

C. The amount of the penalty for all parking infractions shall be \$25.00; except, that the penalty for the following specified infractions shall be in the amount indicated:

Violation of a RPZ Restriction (BCC 11.23.010): \$35.00;
Parking Too Close to Fire Hydrant (RCW 46.61.570): \$35.00;
Parking on Sidewalk (RCW 46.61.570): \$35.00;
Parking Too Close to Intersection (RCW 46.61.570): \$35.00;
Parking Too Close to Crosswalk (RCW 46.61.570): \$35.00;
Parking on Bridge or in Tunnel (RCW 46.61.570): \$35.00;
Parking Too Close to Railroad Crossing (RCW 46.61.570): \$35.00;
Parking Too Close to Driveway (RCW 46.61.570): \$35.00;
Parking Too Close to Stop or Yield Sign (RCW 46.61.570): \$35.00;
Parking Too Close to Traffic Control Signal (RCW 46.61.570): \$35.00;
Overtime Parking (BCC 11.23.022): \$20.00.

D. The penalties established in subsection C of this section shall be adjusted biennially beginning on January 1, 2000, and on each succeeding January 1st of even-numbered years thereafter by multiplying the rate then in effect times one plus the amount of the Consumer Price Index for all urban customers (Seattle-Everett area) for the previous two-year period and rounding such product to the nearest dollar; provided, that the maximum penalty amount shall not exceed the penalty limit set forth in any applicable state law or court rules. (Ord. 5176 § 6, 1999; Ord. 4611 § 10, 1993.)

